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U.S. ARMY CORPS OF ENGINEERS

NEW ENGLAND DIVISION

PUBLIC HEARING held at the Corless  
Auditorium, University of Rhode Island Campus,  
South Ferry Road, Narragansett, Rhode Island,  
on Wednesday, November 28, 2001, commencing at  
5:00 p.m. concerning:

PROVIDENCE RIVER AND HARBOR DREDGING PROJECT

BEFORE:

Larry Rosenberg, as Moderator

Lieutenant Colonel John Rovero, as Hearing Officer

Ed O'Donnell, Project Manager

Wendell Mah, District Office of Counsel

MARIANNE KUSA-RYLL, CSR, RMR

JUSTICE HILL REPORTING

252 JUSTICE HILL ROAD, P.O. BOX 610

STERLING, MASSACHUSETTS 01564-0610

TELEPHONE (978) 422-8777 FAX (978) 422-7799

## I N D E X

SPEAKERS:	PAGE
Lieutenant Colonel John Rovero, Hearing Officer; Deputy District Engineer for the Army Corps of Engineers, New England	6
Ed O'Donnell, Project Manager	7
Edward Everich, Member, Rhode Island Fishermen's Association	18
Bruce Knight, Member, Rhode Island Fishermen's Association	21
Janet Malloy	23
Michelle Komar, Narragansett Bay Watch	26
Ralph Bozzi, Narragansett Bay Watch	29
Damon Ise, Rhode Island Fishermen's Association	31
Elizabeth Rowell, Vice President, Rhode Island Commercial Fishermen's Association	33
Stan Urban, Terminal Manager, Motiva Enterprises	35
Eugenia Marks, Audubon Society of Rhode Island	38
Mark McSally, Attorney for the Rhode Island Commercial Fishermen's Association	39
William Cote, Rhode Island Commercial	

Fishermen's Association 42

(Continued)

3

I N D E X (continued)

SPEAKERS: PAGE

Dennis Ingram, Member, Ocean State Fishermen's

Association 43

John Torgan, Save the Bay 44

Michael Keyworth, Rhode Island Marine Trade

Association 46

Peter Brodeur, Rhode Island Lobstermen's

Association 49

Dean Pesante, Rhode Island Fishermen's

Association 51

Michael Marchetti, Rhode Island Lobstermen's

Association; Rhode Island Commercial

Fishermen's Association; President, Captain

Robert Fisheries, Inc. 52

Robert Morris, Oil Spill Technician 55

Arthur Lemke, Northeast Marine Pilots 57

Don Conradi, Rhode Island Marine Trade

Association 59

Bruce Banks, President, Jamestown Marine Offshore; Subcontractor, Ocean Technology Foundation	59
---	----

Kenneth Ketcham, President, Rhode Island Fishermen's Association	61
---	----

#### STATEMENTS INDEX

SPEAKERS:	PAGE
Alvin Stettbacher	67
Thomas R. Geary	69
Bob Fox	71
Dean Pesante	72
Lynn Fiorenzano	73
Charles J. Wolf	73
Captain Thomas W. Dittmar	75
Carl Granquist	75
Michael Marchetti	76

#### WRITTEN STATEMENTS INDEX

STATEMENT OF:	PAGE
Carl Granquist	82

Elizabeth B. Rowell	83
Kenneth A. Ketcham	86
Michael Marchetti	87

6

PROCEEDINGS

MODERATOR ROSENBERG: Good evening,  
ladies and gentlemen. I'm sorry for the delay.

Welcome to this public hearing regarding  
the Final Environmental Impact Statement for the  
Providence River Harbor Maintenance Dredging  
Project.

My name is Larry Rosenberg, and I am the  
Chief of Public Affairs for the United States Army  
Corps of Engineers for New England. Our  
headquarters is located in Concord, Massachusetts.  
I will be your moderator and facilitator this  
evening.

Our Hearing Officer today is Lieutenant  
Colonel John Rovero, our Deputy District Engineer  
for the Corps in New England.

Other Corps representatives with me

tonight are Mr. Ed O'Donnell, our Project Manager;  
Mr. Wendell Mah of our District Office of Counsel,  
and my staff from the Public Affairs Office, who you  
met when you came in.

Should you need copies of the public  
notice, or the hearing procedures, or any other

7

pertinent information, that is available at the desk  
where you signed in.

The agenda tonight is following this  
introduction, Colonel Rovero will address this  
hearing. He will be followed by our Project  
Manager, who will provide an overview and discuss  
the dredging project, the disposal options and many  
of the processes to date that have led to the Corps'  
preferred alternative.

I would like to remind you of the  
importance of filling out those cards that were  
available at the door. These cards serve two  
purposes.

First, they let us know that you are  
interested in this project so we can keep you

informed. And second, they give me a list of those who wish to speak tonight.

If you did not complete a card, but wish to speak, or receive future information regarding this project, one will be provided at the registration desk.

One additional reminder. We are here tonight to receive your comments. We are not here to enter into any discussion about those comments or

8

to reach any conclusions. Any questions that you have should be directed towards the record, not to the individuals on the panel.

Ladies and gentlemen, Colonel Rovero.

COLONEL ROVERO: I think I recognize some familiar faces from a little over three years ago since we were here before.

So I would like to welcome you tonight to this public hearing regarding the Final Environmental Impact Statement for the Providence River Harbor Maintenance Dredging Project.

I would like to thank you for involving yourself in this environmental review process. By

conducting this public hearing, we, the Corps of Engineers, continue to fulfill our requirements to seek public comment and input related to all aspects of the dredging project.

While no decision will be made tonight, our final decision regarding the dredging or disposal options will be based on an evaluation of the probable impacts of the proposed activity, and your comments will be considered in evaluating all the options under consideration.

Accordingly, please feel free to bring

9

up any and all topics that you feel need to be discussed on the record, either in this hall or directly to the stenographer, located in the reception area.

I assure you that all of your comments will be considered prior to publishing the record of decision and will be treated equally on the record.

It's crucial to this public process that your voice is heard, and we're here to listen to your comments, understand your concerns, and to



provide you an opportunity to put your thoughts on the record should you care to do so.

I would like to reemphasize that this is your hearing, and we need you to assist us in the public review process.

It is the Corps' responsibility to evaluate both the environmental and socioeconomic impacts prior to making any decision. In order to accomplish that, we need your input.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

Our Project Manager, Mr. Ed O'Donnell.

ED O'DONNELL: I would like to thank everyone for coming out tonight. For some of you,

10

you're probably sick of seeing my presentation here, but for those of you who haven't seen it, I'll go through it one more time.

We have been working on this project since about 1992. A significant amount of effort has gone into creating the Final Environmental Impact Statement. We've looked at over 160 different disposal sites during that process. We

believe we have come up with a reasonable plan, one that has balanced the costs and environmental impacts and think we have a plan that can go forward.

Basically, what we have done is go through the NEPA process. We issued the Notice of Intent in 1994, had a bunch of scoping meetings in Rhode Island. Shortly after that, we issued the Draft EIS back in August of '98. We had a comment period. During that comment period, we got a number of comments, and subsequently did quite a bit of work to address the comments that we received.

We issued the Final Environmental Impact Statement back mid-August this year, and our official comment period closed October 1st. We did get a few comments there as -- from folks asking for

11

a public hearing, which is why we're here tonight. Tonight will be the end of accepting public comments, so please, if you do have any comments, get them in. Talk to the stenographer outside, if you really don't want to speak in front of the

audience.

Our next step is to issue a record of decision. Once we evaluate all the comments, we'll issue that ROD.

The next step after our public hearing here, we have been working with the state CMRC and DEM regarding the necessary state approvals. We need to obtain Coastal Zone Management consistency concurrence from the CMRC and water quality certification from the DEM. We hope to complete that process by the end of December.

Subsequent to that, we're going to address all the comments we receive and issue the record of decision in January.

Following that, since there will be some cost sharing for the project, we need to work out a project cost share agreement with the state. We hope to have that by July. Assuming we do, we'll start our contracting process then; and if all goes

well, we would be dredging in November of next year, about a year from now. We estimate it's probably going to take about a year and a half to complete

the work.

The reason I put this up here is just to reemphasize that we've tried to involve the public as much as possible. This is a list of all the public hearings we have had during the FEIS process. We've certainly tried as best we can to get everyone's comment and address everyone's issues.

This shows you the dredging limits for the project. Basically, we will be working from Fox Point down to just north of Prudence Island. The vast majority of the work is in the upstream end of the project.

In the FEIS process, we looked at 14 different sites. We looked at three sites in Rhode Island Sound. We looked at three sites in Narragansett Bay. We looked at five different beneficial use sites, and we also looked at three upland areas.

As I said before, we did quite a bit of work since issuing the Draft EIS back in '98. This just goes over a list of things that we had done to

answer some of the questions that were raised. It

has been a long process. We think we have a good idea of what is going on and don't expect significant impacts from the work.

And this just goes on to look at some of the additional things that were done.

This is basically what we came down to for the project. We had looked at alternative dimensions for the project. We have decided to go back to full project dimensions, the 40-foot-deep project, 600 feet wide. We are going to eliminate once a couple of small areas in the upper river. We're going to sequence the work so we avoid impacting some sensitive areas. We're going to use a confined aquatic disposal cell to dispose of the material that we consider unsuitable to go to open water, and we're going to dispose of the cleaner material out at Site 69b out at Rhode Island Sound.

The -- this just shows the location of the CAD cells. And what we will do is the smallest one in the center is our starter cell. And what we would do is we would start here. This all in an area where the material is unsuitable. We would take the material off the top, dig down through the

cleaner material, and then place that unsuitable material in that cell. And then work on the next one, take the unsuitable material off the top, put it in this cell, and then keep on filling and hopscotching around until we're completed.

This shows a cross section of what the cell would look like. Actually, the silt there is -- there is a lot of sand and gravel in that area. The silt shows the material that we are dumping in there. We're going to cap that material with cleaner sediments from lower in the river. We're going to dig down to about 80 feet or so.

This shows the two areas we eliminated. We had talked to the pilots and the Coast Guard, and these are some of the areas that aren't used any more. So we're going to eliminate them from the dredging. It has saved us from dredging about 400,000 cubic yards of material.

This shows the location of the Site 69b where we are going to place the cleaner material. The site is in the separation zone between the inbound and outbound shipping lane. Based on all of

our studies and analyses this has the least  
environmental impact of all the sites we looked at

15

in Rhode Island Sound.

The CAD cells have a significant amount  
of gravel, sand and gravel in them, so we -- we were  
looking at ways to use that material beneficially.  
A couple of sites have asked for the material. One  
site is the P&W site on the East Providence side of  
the river. We are going to place about 250,000  
cubic yards of material there. The other site is  
down at Fields Point. It's a site that used to be  
an old drive-in. We would place about 300,000 cubic  
yards of material of the sand and gravel there.

This just shows the dredging sequencing.  
Basically, we're going to avoid certain areas of the  
river during sensitive times of the year. We will  
be working year-round. We may avoid the upper river  
during a portion of the year, and in some areas in  
between, but we do feel that we can dredge 365 days  
a year and not have significant impacts, at least  
somewhere in the river.

Basically, we are going to dredge -- we

need to dredge 3.9 million cubic yards out of the channel to bring it back to the authorized dimension, the 40 foot deep, 600 feet wide.

Of that 3.9 million cubic yards,

16

1.1 million cubic yards is unsuitable. That is material that would go to the CAD cell. The 2.8 million cubic yards that remains will be going to Site 69b; and to create the CAD cell, we are going to dig about 1.64 million cubic yards of clean material. The material that won't be going to the dewatering sites, the upland sites, would be going out to Site 69b.

This gives you an idea of the costs.

The total project cost, we estimate to be \$91 million. There is a state cost share requirement, because we are constructing the CAD cells, and we are placing some of the material upland. That will be about \$8 million.

And another component, we have included about 20 marinas in the FEIS. We're hoping people piggyback along with us. It has been quite a long time since anyone has dredged to this -- this amount



of material in Rhode Island, and we are hoping that people that need to dredge will get their applications in. Actually, if there are private applicants here interested in doing the dredging, you need to get state and federal approvals. Steve DiLorenzo from the Corps is available after the

17

meeting to talk to anyone who would like to talk about submitting a permit application. We do urge you to get your application in as soon as possible so you can piggyback along with the project.

And that's all I had tonight.

MODERATOR ROSENBERG: Thank you.

Ladies and gentlemen, the hearing tonight will be conducted in a manner so that all who desire to express their views will be given an opportunity to speak. To preserve the right to -- of all to express their views, their desires, their concerns, I ask that there be no interruptions.

If you want to raise any question as an issue, you may address those questions to the record.

There will be no cross-examination.

This is your opportunity to address your opinions regarding this proposed project.

When you came in, copies of the procedures to be followed at this hearing were available. If you did not receive one, this information is available in the registration area. I will not read the hearing procedures, but they

18

will be entered into the record.

Individuals speaking today will be called to the microphone, and we have two of them, in the order in which they signed in, and as provided for in the hearing protocol that was distributed.

To assure that everyone is afforded an opportunity to speak, I must ask each speaker to limit his or her remarks to three minutes. It is important that it is understood that all comments receive equal consideration. So if you are not able to express all your views within the three minute time limit, you may take a few moments, as many as you need, actually, to sit down with the

stenographer that we have provided in the reception area, and she will take your concerns down in total.

I will now dispense with the reading of the public notice of this hearing and have it entered into the record.

A transcript of this hearing is being made to assure a detailed review of all comments. A copy of the transcript will be available in our Concord office, or you may make your own arrangements with the stenographer for a copy at

19

your own expense. Furthermore, a copy of this transcript will be added to our website for your convenience, and that will happen in about three or four weeks.

When making a statement, please come forward to one of the microphones. State your name and the interest that you represent. Once again, there are many to speak, so we are going to give you three minutes, no more. We have a little light box here. The green light when it comes on will indicate that there are two minutes remaining. The amber light in the center will indicate that you

have one minute left; and, of course, the red light will indicate the time has expired.

Please identify if you are speaking or representing the position of an organization. If you're speaking as yourself, as an individual, please say so. I would also like to emphasize that all who wish to speak will have an opportunity to do so.

Once again, for your convenience, a stenographer is available in the reception area should you wish to dictate a statement for the record, rather than making it a formal limited

20

presentation. And all these statements, written or otherwise, will receive equal consideration with those presenting this evening.

We will now receive those comments according to those hearing protocols. Again, comments received here or to the stenographer already will receive equal consideration. If you have a lengthy statement, summarize and enter the whole statement for the record.

Our first speaker will be Edward

Everich, and he will be followed by Bruce Knight.

EDWARD EVERICH: My name is Edward Everich, and I'm speaking both as a member of the Rhode Island Commercial Fishermen's Association and as a licensed mariner.

The first thing I would like to say is that I -- I am not opposed in any way, shape or form to the dredging of the Narragansett Bay shipping channel, Providence River Harbor area, and any of the smaller associated marina and channel projects. I realize the necessity of dredging. I have been faced with it from my first days of operating my own vessels and operating tugs in the waters of New York Harbor, Long Island Sound, Narragansett Bay, and

21

generally in New England.

My primary objection to the -- to this proposal is the manner in which 69b was evaluated. I'm also concerned about safety issues that the smaller dredging units, tugs, scum scows, self-propelled dredges that primarily will be dredging the smaller locations, the marinas would have to deal with while transmitting the waters to

and from 69b. The larger units that would be dredging the main objective would not be faced with those same problems.

I read this into the record at a hearing up at CCRI. I'll try and get through it. This is my primary objection to the evaluations of 69b.

In a period of 33 years, from 1965 to 1998, 16 trawl tows were used to compile data that relates to the finfish species and populations of the site. This is equal to a tow every 2.0625 years.

Is this in any wild stretch considered the basis for a valid trawl survey by any agency anywhere in the world to determine a finfish population?

On this issue, and this issue alone, I

22

feel that this project should be brought to a stop until a valid finfish survey has been accomplished.

The survey should be designed to include various trawl types, the least of which should be smooth bottom and hard bottom gear types. Bottom tending gill nets should also be set using a

significant range of mesh sizes as to provide an as accurate picture as possible of the various finfish species and sizes found in the area.

Both gill net setting patterns and trawl tows must be done in such a way to provide as much coverage as possible. Allowance for variation in bottom textures, change in depth contours, general bathymetry and the effect of prevailing tidal flow must be included in the survey format. This is obviously not a short-term event. It will require extensive planning, execution and analysis. The fact that this area is located in what is commonly known as an area of high finfish migration must also be given a high priority in addition to developing a solid profile of finfish species.

Any survey that takes place must be done over a long enough time frame as to allow for seasonal changes in both species and population

23

densities.

MODERATOR ROSENBERG: Thank you.

EDWARD EVERICH: Is that it? Thank you for the opportunity.

MODERATOR ROSENBERG: Thank you. Please take the opportunity to use this as an example.

Please see the stenographer outside to make sure the entire statement is written into the record.

Thank you, sir.

Our next speaker is Bruce Knight, and he will be followed by Janet Malloy.

BRUCE KNIGHT: My name is Bruce Knight. I am the vice president of the Rhode Island Commercial Fishing Association.

We have major problems with the Final Environmental Impact Statement. Many areas we don't agree with.

Members of our association will be speaking as the night goes on. We have all taken little bits and pieces which we have a problem with.

The economic multiplier prompts lingering questions. Economic multipliers are generally used -- are used to express additional activity that is generated by another economic

activity. In the section of the Environmental Impact Statement and fishery involvement, Doctor



Thomas A. Grigalunas states that the economic multiplier for fisheries in Rhode Island is 1.18.

This equates to one dollar worth of fish landed generates 18 cents he gets in additional economic activity.

Over 25 years ago, Doctor Grigalunas was part of a study entitled "The Economic Impact of Commercial Fishing in the State of Rhode Island" in 1975. At that time, the economic multiplier of Rhode Island fishing was pegged at 4.24. Other states use a multiplier of over eight. An obvious question, what happened?

This question becomes extremely poignant when one considers that the United States Department of Agriculture places a multiplier of 1.39 on all activity as it relates to imports. Fisheries imports in Rhode Island are almost 85 percent of landings. Possibly there may be a need to actually do an analysis on the Rhode Island industry.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

Thank you, sir.

Janet Malloy. She will be followed by  
Michelle Komar.

JANET MALLOY: Good evening. My name is  
Janet Malloy, and I am here sort of representing the  
dredging industry in general.

After reading the EIS and having been  
involved in the process of this activity for quite a  
number of years, what sort of stuck out to me and  
several other of us is that where did the Corps come  
up with the yardage figures, the cubic yardage price  
in particular and the production schedule, 18  
months, because as you have attached the private  
work to it, the numbers do not work. They are  
using -- well, I think I figured it out, but that is  
besides the point.

In the equipment size, these numbers are  
not going to work with the equipment size in the  
small projects.

And the -- not only something else that  
stands out in the pricing. Does this include the  
disposal, too, or just the digging? Because you  
have upland disposal, and you are going out to open  
water.

And in the time frame that you're giving

26

to do this dredging and the prices, there is no way you're going to do what you're doing to these prices.

And especially on the time frame, the 18 months, does that include all the private work? In 18 months it all has to be done, because that is not going to happen.

And the sequencing and windows, and this is something I have a great deal of experience with. Sequencing: Basically, you're going to stop a project that is in motion and go somewhere else and start, and then stop and go, stop and go. That is not how you build a house; that is not how you put a road down; that is not how you dredge a channel. That is more environmentally unfriendly than continuing to go, especially in the Providence River, because it's a commercial river.

Also, was the navigational issue factored into when you chose this dump site?

You're not going to have guys running around with 3,000 yard scows and seagoing tugs

coming out of Warwick and coming out of the top of the river in their little marinas. You are going to have people with small pieces of equipment going

27

a very long way out in the ocean.

Was that factored into it, the navigational hazard part of it, or just you guys looked at it and thought it was a 3,000 yard scow?

And these windows. Again, is the private work going to be held to the 18 months?

That is the big issue here, because there is a finite amount of dredging contractors. Everyone seems to think everyone can show up and dredge, but Weeks is not going to dredge up from the Warwick Cove. Weeks is not going to dredge up in some small marina. And not only that, you have picked the time of the year, which is prime dredging season, and you only have four dredging contractors that can do that work.

So has that been factored into this final table?

And also, about the upland disposal site, how -- who is maintaining those?

Who has to pay for that?

MODERATOR ROSENBERG: Thank you.

Next speaker, Michelle Komar, and she  
will be followed by Ralph Bozzi.

There is microphone on each side if --

28

MICHELLE KOMAR: Good evening. My name  
is Michelle Komar. This evening I'm representing  
the Narragansett Bay Watch Group, an organization  
based out of Warwick, Rhode Island, and they would  
like me to read into the record their comments that  
were originally dated October 1st, which they had  
not had any response from the Army Corps, or DEM.  
And they are not quite sure if these would be  
addressed in the final EIS or the record of  
decision. So I would like to read their comments  
for the record.

The letter is dated October -- excuse  
me -- November 28th, 2001, and it's addressed to Mr.  
Ed O'Donnell.

Narragansett Bay Watch is an organized  
community-based group that opposes the disposal of  
dredged materials in Narragansett Bay, as well as

all Rhode Island coastal waters. Organization membership and support has grown exponentially from a local group from the City of Warwick, Rhode Island, to thousands of concerned citizens and numerous environmental, commercial fishing and water-based recreational groups.

#### Members of Narragansett Bay Watch

29

attended the public information meeting on September 26, 2001, at the Community College of Rhode Island, Knight Campus, Warwick, Rhode Island, regarding the maintenance dredging for the Providence River and Harbor Federal Navigation Project.

In addition, we have reviewed the Final Environmental Impact Statement for the project. We appreciate this additional opportunity to submit written comments on the FEIS.

Narragansett Bay Watch acknowledges the need for the performance of maintenance dredging of the Providence River and Harbor for navigation, as well as for the continued operation of public and private marinas. The means of the disposal of

dredged materials, however, is of paramount concern to our organization.

We support the beneficial use of dredge materials on land or recycled on-site; open water disposal should be the last resort if no other alternatives are proven to be available. Landside disposal and beneficial reuse of dredged materials on land are absent from the proposed project; and furthermore, the project includes the utilization of

30

unconfined open water disposal at an offshore site in Rhode Island Sound.

Included in the benefits, which reasonably may be expected to accrue from the project to balance against the reasonably foreseeable detriments, is the non-Federal component of the project. According to the information you recently provided to us, no marinas have committed to piggyback on this federal maintenance dredging project. This balancing benefit is absent from the proposed project.

Narragansett Bay Watch insists that these marinas and others in need of maintenance

dredging be required to utilize the same disposal sites designated for the federal project. Those marinas, which do not piggyback on the federal project, should be restricted (by federal and state regulatory agencies) to landside disposal or landside beneficial reuse of dredge materials.

It is our contention that without the marinas the federal project needs to be assessed anew, without the balancing benefit of the marina's contribution. Accordingly, we respect a public hearing, which you did comply with tonight.

31

We respectfully submit these additional comments:

The project should actively promote the beneficial use of dredged materials, but open water disposal should be the last resort, if no other alternatives are proven to be available. The unconfined disposal of dredge material in the Bay should be prohibited.

The project shall demonstrate, provide scientific data and ongoing monitoring to ensure that the project will not affect the continued



progress of the return of horseshoe crab population  
to Narragansett Bay.

MODERATOR ROSENBERG: Thank you.

MICHELLE KOMAR: Thank you.

I have one question for you. Since this  
was not an advertised water quality DEM hearing, I  
would just like to submit for the record additional  
comments to Ron Gagnon tonight.

Thank you.

MODERATOR ROSENBERG: Our next speaker,  
Ralph Bozzi.

RALPH BOZZI: Excuse me. Michelle, can  
you speak for me about the other comments.

32

MICHELLE KOMAR: Am I supposed to be  
reading?

RALPH BOZZI: I'll give you my three  
minutes for her.

MODERATOR ROSENBERG: Sir, I just --

RALPH BOZZI: It's comments. It's  
comments. She's a better speaker than me.

MICHELLE KOMAR: Let me get my glasses.

MODERATOR ROSENBERG: Please.

MICHELLE KOMAR: Thank you.

Thank you, Mr. Bozzi.

Mr. Bozzi is a member of Narragansett Bay Watch, so I'll continue my comments.

My last comment No. 2 was: That the project demonstrate, provide scientific data and ongoing monitoring to ensure that the project will not affect the continued progress of the return of the horseshoe crab population to Narragansett Bay.

No. 3. The dredging and/or disposal operations shall immediately cease at the request of the legislative bodies of two or more Rhode Island municipalities, or at the request of at least one state agency, which object to the operations based on their presented evidence of harm to either

33

coastal waters, shorelines, the environment or to the economy. A public hearing shall be heard within -- shall be held within 30 days to receive public input. Dredging shall resume if the municipalities or state agencies cannot show cause for the continued cessation of dredging and/or disposal operations.

No. 4. Include an exemption from chemical testing if the material from a private marina maintenance dredging project is disposed of in a CAD cell.

Thank you.

MODERATOR ROSENBERG: Thank you.

Our next speaker, Damon Ise, I-S-E, followed by Elizabeth Rowell.

DAMON ISE: Thank you. My name is Damon Ise. I operate the fishing vessel Lilly II in Wickford.

Well, my concerns also lie with the results of the EIS.

Page 6-136 of the EIS states, Without this project, fisheries resources are not expected to change substantially from existing conditions. Stocks of most commercially valuable fish are

34

presently at low levels, and the presence or absence of the project is not likely to affect the status.

Winter flounder stocks in Southern New England in the mid-Atlantic region are currently near record low levels. This is dated 1998, by the way. Some

recovery of these stocks is expected to occur in the future with or without the project.

This statement is incorrect. Winter flounder in Block Island Sound are back to historical average. A news release from the New England Fisheries Management Council dated June 2001 states, Management programs in New England are experiencing measurable and substantial success in building sustainable fisheries. The year 2000 calculations shall be estimated biomass levels for 11 important ground fish stock have increased almost two and a half times since 1994. Even stocks that need further rebuilding, such as Georges Bank cod, the American plaice, white hake, et cetera, are also showing these signs of rebuilding.

A press release from the Atlantic States Marine Fisheries Council dated August 2001 trumpets that the 2002 commercial scup quota is being increased 80 percent; the 2002 fluke quota is being

35

increased 35 percent; and the black sea bass quota is being increased 10 percent. These stocks are not at record low levels.

In the last ten years, commercial fishermen in New England have vastly reduced their efforts from days at sea in the ground fisheries to low quotas in the fluke and scup fisheries. We are now in a position to reap the awards of this effort.

My concern lies in the fact that the silt cloud that is going to be created by the ocean dumping is directly in the migratory patterns in these fish as they enter in and out of Narragansett Bay. I am concerned about who is going to be responsible for the losses suffered if those fish fail to migrate.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker, Elizabeth Rowell, who will be followed by Stan Urban.

ELIZABETH ROWELL: I am Elizabeth Rowell. I own the Elizabeth R. It's a dragger out of Point Judith. I have owned it for 25 years. And I am Vice President for the Rhode Island Commercial Fishermen's Association.

My plea would be to first do no harm.

The proposed dredge disposal Site 69b is located at the northeast corner of Sand Bank Channel. Sand Bank Channel is a natural channel with a sandy bottom. It is a main thoroughfare for all finfish during both their northern and southern migration past Rhode Island. Knowing that, it seems odd that at a recent meeting, Mr. Michael Ludwig from the National Marine Fisheries Service Habitat Laboratory in Connecticut stated that no dump site will harm the fisheries or the environment. If any harm were perceived, the dredge project would be shut down.

This project has used computer modeling extensively, more so than any other dredge project in U.S. history. Unfortunately, computer modeling is only as good as the information that is included in the design. Those of us in the fishing industry are concerned that questionable fisheries data was used in the model, because it does not even suggest that this natural channel in the ocean bottom has any importance to the well-being of the Rhode Island fisheries. Fishermen know that it does.

If questionable data was used in the production of this part of the model, a natural

assumption would be to suspect that questionable data was also used in other modeling efforts. For example, would the dump plume add significant turbidity to the water column and cause migrating fish, such as scup or summer flounder from entering Narragansett Bay?

If harm is done to the fishing industry and the shoreside businesses, who would be responsible for making us all whole again after the damage has been done?

Thank you.

MODERATOR ROSENBERG: Thank you, ma'am.

Next speaker, Stan Urban, followed by Eugenia Marks.

STAN URBAN: First, I would like to thank the Corps for all the work that has been done thus far on this project, and I appreciate the opportunity to speak here tonight.

My name is Stan Urban. I am the Terminal Manager of Motiva Enterprises on Allens Avenue in Providence.

Motiva Enterprises is in favor and supports the Providence River Dredging Project as

outlined in the FEIS. Motiva operates a vault

38

petroleum storage facility on Allens Avenue in Providence.

As we communicated to you in 1998, it is critical, from an economic and marine safety standpoint, to return the Providence River shipping channel to a depth and width for safe passage of vessels without restrictions.

Motiva plans to utilize vessels with heavy drafts of up to 40 feet with a beam up to 106 feet; therefore, it is critical that the original dimensions outlined in the Draft EIS will be maintained. Any reduction in the channel width and depth will lead to increased operating cost of Motiva.

Transportation costs have already been elevated due to one-way traffic. The need to use multiple smaller vessels and the need to lighter. Transportation costs are an important component in the cost of supply equations. Also, as the U.S. -- as the overall U.S. shipping fleet continues to downsize, the need for an accessible channel will



intensify.

Motiva's terminal has been in operation since 1907 as a bulk storage and distribution point

39

for petroleum products. Products such as gasoline, heating fuel and jet fuel are received by way of marine transfer, hence the critical need for a safe and well-maintained river channel.

Motiva averages 15 marine receipts per month. Because no dredging activity has occurred and berth depth has been reduced by silt accumulation, we have had to rely heavily on barges. For a number of years both of our docks have had restrictions on the size of vessels that can be received. A successful dredging project opportunity will exist that we can reduce our vessel receipts by 50 percent.

The Providence River Dredging Project is vital to our continuing operation here in Rhode Island. It is vital for us and for the many customers and end users who rely on petroleum products to run their vehicles and heat their homes. We appreciate your efforts thus far, and we ask that

you do whatever is necessary to complete this project as quickly as possible. Because no dredging activity has occurred in many, many years, each day that goes by is another day of increased cost to our company and another day of uncertain delivery for

40

our customers of Rhode Island.

Thank you very much.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker is Eugenia Marks, who will be followed by Mark McSally.

EUGENIA MARKS: My name is Eugenia Marks. I am representing the Audubon Society.

I want to thank you for this opportunity to comment. The Audubon Society recognizes the need for a dredge; however, we are concerned about the offshore deposition of contaminated materials knowing the metals and other contaminants in the Providence River.

I also wanted to ask about identifying the pipes that provide water to East Providence and the Providence water supply going under the upper part of the Bay so that when dredging is done for

the CAD cells those pipes are not in any way jeopardized.

And also to ask if you are providing a window of migration in the spring from February to April, which we certainly appreciate. I wonder whether there had been any consideration given to the migration in the fall and September and October.

41

Thank you.

MODERATOR ROSENBERG: Thank you, ma'am.

Our next speaker Mark McSally, who will be followed by William Cote.

MARK McSALLY: Thank you.

For the record, my name is Mark McSally. I am an attorney, and I represent -- or I am here speaking on behalf of the Rhode Island Commercial Fishermen's Association, Rhode Island Lobstermen's Association and also the Ocean State Fishermen's Association.

Those groups have recently retrained me to review the process that has been used to date and to present some preliminary comments this evening. And I thank you for the opportunity to do so.

Obviously, I haven't had a chance to review the entire FEIS, but I have gone through a good part of it. But what strikes me is it seems that the entire decision for this site was predicated upon assumptions that the impact to the fishery both biologically and economically would be minimal. I don't think that's correct. I don't think that has been adequately addressed in the FEIS itself, and I think some of the factual assumptions

42

used in the FEIS itself are incorrect.

For example, in terms of the finfish surveys, it was already pointed out that the surveys, the trawl surveys are few and far between. That doesn't give a valid scientific sampling, doesn't give a valid basis upon which to reach a conclusion.

I would also point out that the FEIS itself, as it relates to finfish in speaking with -- excuse me -- in speaking about this site does make reference to an abundance of various species.

On page 4-156, it indicates that six

species, including winter flounder, which is particularly important in this area, little skate, silver hake and American lobster had a high likelihood of occurrence at the site. It goes on in part, that considering winter flounder as a representative of habitat quality for bottom fish, however, winter flounder was the most abundant as a percentage of fish caught and second in percent of total weight. Again, for this site.

It goes on to state, that impacts to winter flounder would be relatively high at this

43

site, compared to Site 18. Your own document seems to contradict the findings on finfish.

With respect to lobster, I think the findings of the surveys are inadequate. It does not take into account the 1996 North Cape oil spill, which occurred in this area causing devastating impact on the lobster population, when multimillions of lobsters were killed. That is why there may be a depletion in stock at this particular area. Over 50 vessels typically fish this area, but many of them moved out, because of the depletion in stock. Tests

were done in '98. The traps were set in '98 is when the impact occurred.

Also, it has not considered the effect of the restoration project going on right now.

1.2 million female lobsters are to be released into the area, in this area; 300,000 were released last year. A number of others will be released as the project goes forward. Those have not been addressed or considered in what impact would occur from this project on them.

Finally, I would like to leave you with two questions. One, there is an economic impact, which is clearly stated to the commercial fishermen,

44

but what is not stated is who is going to pay back the fishermen's impact? It's not addressed in this document.

Finally, a lot of statements about the fact that there will be tests to make sure appropriate material is in this water, there is no offshore dumping. We already know the problems with what is disposed of. There's nothing indicating the project will stop if, in fact, that is discovered.

To the contrary, if you look inside the FEIS itself, speaking with the -- dealing with the criteria, it indicates that if problems arise, they would not cease dumping until such time as another site was located. It would take years.

MODERATOR ROSENBERG: Thank you, sir.

Next speaker, William Cote. He will be followed by Dennis Ingram.

WILLIAM COTE: Good evening. My name is William Cote. I am a commercial fisherman.

And I just would like to say that I'm against Site 69b. I think a continuous curtain of silt over a period of a year and a half or two years is going to be detrimental to the migration of the fish that a lot us depend on.

45

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker is Dennis Ingram, followed by John Torgan.

DENNIS INGRAM: Hello. My name is Dennis Ingram. I am a board member of the Ocean State Fishermen's Association.

And the Fishermen's Association would just like to go on record as saying we are opposed to any open water dump site. We believe that this being considered a regional dump site is especially troubling. We understand that there is a need to dredge the channel, but we are just wondering why this is always dumped on the fishermen.

The last time they dumped offshore out in front of Newport in the late '60s, there was a plume of material that covered approximately 12 square miles. I'm sure there is a lot of people in the audience here tonight that could testify to that. They actually saw it.

We're just wondering why -- why it would be considered a regional dump site? That is really troubling to us. I mean, we just want to be considered that this is a fishing area. It's a

46

highly valuable area to us, and we are definitely opposed to it.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

Our next speaker, John Torgan, who will



be followed by Michael Keyworth.

JOHN TORGAN: Thanks a lot for this hearing, this opportunity to speak to you.

Once again, I am representing Save the Bay. Save the Bay has been involved for as many years as we have been planning on this project. We submitted fairly extensive written comments already. I'm not going to detail all of those. A brief summary on that is the issues that we have identified for additional discussion, resolution, environmental windows. A number of different agencies have commented on the window sequencing plan. And we want to make sure that the concerns that we've raised and that the other agencies have raised are addressed in or before the record of decision.

The second major area is monitoring both pre- and postproject and also compliance monitoring, keeping the project on track and looking after

the -- looking after the dredging itself to make sure that they are dredging and dumping where they are supposed to; research to be done after the

project to better categorize or quantify what the environmental impacts are. We are interested to see that resolved.

There are some outstanding issues relating to the natural resources damages assessment. Other speakers have referred to the estimates of value and the estimates of numbers of fish and other marine life that would be impacted, and we are interested to see how those debates between agencies and the Corps are resolved.

Also, the related issue of whether or not there will be any mitigation for environmental damage or compensation to fishermen who have lost revenues as a direct result of the project. We are interested to see answers on that.

In our comments, we did request a Supplemental Draft Environmental Impact Statement. We appreciate though that the Corps is doing this hearing and that there have been, we understand, interagency, cooperative agency meetings working to resolve many of these issues that have been

discussed and we have identified. We hope that that

process is moving along quickly and it's an opportunity to address many of the issues that we are raising that the other citizens are raising before the record of decision to keep the project on track, but to make sure that these very serious concerns are adequately addressed.

And I guess just in closing, I will direct this to the record, because I realize you are not responding to us tonight. But I was wondering how the Corps intends to incorporate comments on the FEIS; and from this hearing, whether or not we can expect any kind of response or what the format response will be?

Thank you very much.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker, Michael Keyworth, who will be followed by Peter Brodeur.

MICHAEL KEYWORTH: Good evening. I'm michael Keyworth. I'm here speaking on behalf of the Rhode Island Marine Trade Association and the East Bay Economic Initiative.

Both of those organizations have been involved in this process for quite some time. I

also operate a marina here in Rhode Island.

I have worked on this dredging project and been in many public hearings, many work groups, and am excited to see the whole process coming to an end so that we can get back on with our lives, as I'm sure you are.

We do support the findings of the FEIS and want to see the dredging continue. We have seen the issue to be scientific and empirical. We see the decision to be a political decision, but I guess that is what the process is about.

The empirical and scientific issues have been mostly put to bed and resolved. They have been redone many, many times, revisited, based on the comments, new information that has evolved. And it's curious to note that all other coastal states in the United States have resolved this issue and are currently dredging or have dredged in the last year.

There is no doubt that there will be impact in any decision that is made in any impact statement, a decision -- that decision will cause an

impact to someone, somewhere, whether it be upland or in the water.

50

We compete for this resource, the water that we use, and it's important that we do it delicately, carefully and with balance and measure.

The real issue is whether we should dredge. I think that you have heard many people in the room agree that we need to dredge. I think that is a consistent sentiment with every meeting that I have gone to. The consequence of not dredging exposes the State of Rhode Island and its precious, precious resource of Narragansett Bay to the real risk of another catastrophe, such as the North Cape.

In not dredging, this source of running out of oil, we were preciously close to that last year with a very small reserve of oil left. The cost of gasoline harmed the citizens with the result of higher prices.

Not dredging causes us to go backward in time, or to continue to go backward in time.

If we dredge, we end up where we were 30 years ago. That is sort of frightening, if we

are not going forward here to try to end up where we were before.

Anyway, it's time to make a decision. I hope your decision is a good decision. I look

51

forward to the dredging occurring.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

Our next speaker, Peter Brodeur, followed by Dean Pesante.

PETER BRODEUR: Thank you for allowing me to speak. Peter Brodeur. I represent the Rhode Island Lobstermen's Association. I am a board member and a commercial fisherman. The president had a meeting to go to. The vice president is out fishing, as many other people in this room, or who would be in this room probably, are this evening.

We are not opposed to dredging the channel. We're opposed to where you're going to dump the spoils. To read -- I just want to relate a little story that was in The Providence Journal a few weeks ago about a state-run program run by a fellow by the name of David DeBoutelle (phonetic

spelling), who runs a program to demonstrate how the commercial autotrawl fishery, or dragging business runs. And in the program, he explains the process of the doors going down and digging up the mud that herds the fish to the middle of the clear water, and then they fade back into the net to get away from

52

the mud.

Our concern is the mud or the torpidity that will be in the water. Anyone knows that after a storm it's cloudy, and you don't catch fish. You don't catch lobsters. It's just not a good scenario. There are, as was mentioned before, 52 boats that fish in the immediate area around Sand Bank Channel. Once that dumping process starts, I'm pretty sure they are not going to want to stay there. So they are going to leave this place, and they are going to go and try and catch a few lobsters in another area where other people have been trying to make a living. We've had -- which adds more pressure to that area.

We have had an oil spill. We have a shell disease situation. We are suffering

regulations that are cutting us back in our earnings on the state level and the federal level. This just seems to be another club that is going to hit us in the head. It's going to say, we are not going to allow you to make a little bit of money, because of what we decide to do.

That's all I have to say.

Thank you.

53

MODERATOR ROSENBERG: Thank you, sir.

Next speaker, Dean Pesante, followed by Michael Marchetti.

DEAN PESANTE: Is it possible to put that chart back up with the dump site on it. You couldn't do that? All right.

Dean Pesante. I'm a commercial fisherman, and I own the fishing vessel Oceana. I have had a fishing business for the last ten years and have been involved in the industry for 20 years.

And my main concern is not so much the dredging itself, but where it's going to be dumped, as other people have pointed out. The sediment cloud that's going to come from this is going to be



very problematic, and the migration of all these fish that move in and out of the estuaries and bays here in Rhode Island. And I think it could be devastating to those of us that rely on this resource and the resource itself.

The other thing I was concerned about is if this does get forced upon us, and what kind of compensation there will be for the fishermen and how we would receive it.

That's it.

54

MODERATOR ROSENBERG: Thank you, sir.

Next speaker Michael Marchetti, to be followed by Robert Morris.

MICHAEL MARCHETTI: Hello. My name is Michael Marchetti. I represent the Rhode Island Commercial Fishermen's Association, and the Rhode Island Lobstermen's Association, President of the F/V Captain Robert Fisheries, Incorporated, and three lobster boats.

I fish in this area. I'm quite concerned about your plans.

I would like to read to you a statement

that we prepared from the Commercial Fishermen's Association concerning the fisheries data. It appears to be skimpy at best. The information utilizing the Environmental Impact Statement concerning Site 69b was skimpy at best. All lobster data was garnered by setting three lobster pots for three days twice a month, for the month of August, September and November. In other words, taken from a total of 18 days worth of fishing.

Finfish data was composed of 16 tows made over a 30-year period by research vessels Delaware and Albatross II. These data are generally

55

used to indicate relative availability over a number of years, not actual availability at a given time.

Of course, one other point, these tows were -- none of these tows were done at 69b, and we question or ponder their relevance. And all in all, the fishing industry has asked to take a great leap of faith off the platform failing under its own weight. If indeed this project is based on data built from a house of cards, who loses besides the industry, or does the Army Corps of Engineers

reimburse the companies for the losses no matter how long they may last, be it two years or more.

All righty. And also there was no mention made in your Economic Impact Statement about the Northgate restocking effort with the V-notch programs. A lot of us are working as fishermen on this personally.

I have here some data that I would like to submit for the record later totaling 17,069 V-notch lobsters were caught and landed subsequently produced in and around this area. At 17,000 this year since October 14th. That is not counting the 300,000 that were released last year. Okay.

There is a program going on now where we

56

are trying to produce 10,000 more, no where near what we produced last year, but it's a different style of program. We, the fishermen, are doing this ourselves in an effort of husbandry to bring our resource back. We have been knocked to our knees by the North Cape oil spill and really feel that this will be one more blow, as Peter may have stated earlier.

Tag studies from the Rhode Island

Lobstermen's Association and the North Cape also show an east-west movement through Block Island, Rhode Island Sound, along about the 900 line just above 69b, and they also show a generalized south to southeast motion from Narragansett Bay and Point Judith Beach area, down through this area and on to offshore. This data was acquired from 25 boats, approximately a quarter of them were from the Point Judith fleet, some of them on-board observers. This data does not reflect the unnotched egggers, shorts in the area, male or female, of all year classes. Possibly millions of lobsters will be affected or harmed, thus affecting our industry.

That is all I wish to say right now. I have an extensive further comment, and I would like

57

to speak to the stenographer later.

MODERATOR ROSENBERG: Thank you, sir.

The next speaker, Robert Morris will be followed by Arthur Lemke.

ROBERT MORRIS: Back in 1999, I guess most of the fishermen here can attest to the fact

that, boy, when there is a war dealing with sustaining the fisheries, how you can get put right out of business. We have all went through it. Our families had to pay for it. They follow that law right to the letter.

Thirty years before that, the Clean Water Act. We are supposed to know how many chemicals we're using, how many chemicals are going in our waterways, and how much in the volume of this water can it take to the chemicals we're dumping.

Do you know we have not done this?

You know, you put a lot on ours and you blame us for everything. We have got a periscope right up us, but you know, you don't even look at your harmful, deadly chemicals.

There is a book that just got released, and it's done by, if not hundreds, thousands of scientists throughout this planet. In Germany, for

one, they have outlawed chlorine. You don't dare put it in sewerage. You make chlordane. You make chlordanes, but they don't research it. So, therefore, it's okay to do dump it anywhere.

We do not have a total maximum daily load limit in this state. And damn how come? Why not? We're supposed to be the Ocean State. You want your real estate worth something? You want the economy to move? Why don't we have this? We have to get this. We have to stop this. It would have been a billion dollars, not a quarter of a billion if they had to do it right. Why should they bother? We don't care. Why should they? Dump it anywhere. Go by parts per million. It's okay. We are not dealing with accumulated values of three sewer systems in one area and a power plant and ten others somewhere else.

As it builds up, what can this volume take? A lady is over here talking about horseshoe crabs being -- she can't see them. Well, I'm a fisherman. It's more than horseshoe crabs. It's the whole damn system going to hell here, because we let these chemicals, and we didn't check out what these chemicals are doing. There is 235

by-products.

If you -- if I got a steak and soaked it

in chlorine and had you eat it, how long do you think you are going to last?

Well, what are you doing with your sewerage?

It's a sin to say you have any intelligence not to research this at least. It's overdue. We need a total maximum daily load limit in this state immediately, and they are going to do the job differently.

MODERATOR ROSENBERG: Thank you, sir.

Our next speaker, Arthur Lemke, will be followed by Don Conradi.

ARTHUR LEMKE: My name is Arthur Lemke, and I'm with Northeast Marine Pilots. I live in Jamestown, And I am an avid fisherman. I am a commercial fisherman. Actually, that was my introduction into this career.

I just wanted to stress that I think it's important we realize that it's easier to manage risk than it is a crisis. And when we look at the dredging of the Providence River, what we're doing is we are managing our risk.

I have been a captain on a tanker for well over 18 years, and one of the worst situations I was put into, or one of the most cautious situations is the operation of lightering. Lightering is the process of trying to reduce the draft of the ship so that it can go up the Bay -- excuse me -- go up the Bay, and make its final discharge.

By doing this, what you have done is you have increased the activity of transferring cargo. Transferring cargo. That's where incidents occur.

If you go up the Bay, and you discharge your cargo, that's one event. If you lighter, you're creating three more events. That's lightering off to a tug and barge. The tug and barge then will go discharge, and then the ship will then go and discharge. It's all a matter of odds. You could have a brand-new ship with a brand-new tug and barge alongside, but there are failures even in new materials. And I think that we've got to be cognizant of the fact that this will only enhance the safety of the Bay.

On top of that, I want to add that it's not only tankers that have petroleum products, but



it's every ship, every vessel that is in this area.

It carries petroleum products to make their engines run. And I just think it would be prudent. I think we should use common sense on this, as well as situational awareness, and just realize that we are at the point where it would be detrimental to the ecology of the Bay, to the fishermen, to the people that enjoy this Bay, if we keep on in this vein.

So I'm strongly endorsing the dredging of the Providence River and would like to conclude with that.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

Our next speaker, Donald Conradi, will be followed by Bruce Banks.

DON CONRADI: My name is Don Conradi. I work for the Rhode Island Marine Trades Association.

We have been the Rhode Island Marine Trades Association, who have been working on trying to get a dredge disposal site in the state for 14 years.

It's -- we feel very encouraged that

this process is finally coming to some resolution.

A site is being designated, and you are going to go

62

forward and do the dredging that is required to make  
the Ocean State the Ocean State.

Thank you very much.

MODERATOR ROSENBERG: Thank you very  
much.

BRUCE BANKS: Thank you.

My name is Bruce Banks. I am the  
President of Jamestown Marine Offshore in Jamestown,  
Rhode Island; a subcontractor for the Ocean  
Technology Foundation, who has been contracted by  
the responsible party to restore the 1.2 million  
lobsters to Rhode Island waters.

We got recently into the project in  
early September; and as you heard earlier, we have  
notched some 30,000 lobsters to date. 56 percent of  
them come from area 69b. That scientific data is  
available to you in order for you to review your  
program before you proceed.

Thank you.

MODERATOR ROSENBERG: Thank you, sir.

Colonel Rovero, that is the end of those individuals who have signed in; however, I have been told earlier that there are individuals from the Rhode Island Commercial Fishermen's Association, who

63

will be arriving a little late. If I can suggest a recess to provide them an opportunity to speak on the record.

COLONEL ROVERO: Sure.

MODERATOR ROSENBERG: At this time we would like to take a 20-minute recess. We'll be back here at 10 of 7:00.

(There was a short break taken.)

MODERATOR ROSENBERG: Ladies and gentlemen, we'll get started.

Before we have -- we have one more individual signed up. I would like to thank Senator Reed for sending Nancy Langrall here to check up on us.

Nancy, it's always good to see you.

Our next speaker, Kevin Ketcham.

KENNETH KETCHAM: Hi. I'm Kenneth Ketcham. I am a commercial fisherman out of Point

Judith. I am also President of the Rhode Island Commercial Fishermen's Association.

I just would like to make a comment that I think the site that has been proposed for the Providence River dump site as 69b is a major thoroughfare for fish and lobsters going in and out

64

of Rhode Island Sound, and I think it's a bad idea to dump anything in that place, because of the silt screen that will be left behind. It's going to deter fish from swimming through this area; and once they change their migration path, I'm afraid they may not come back, and it will adversely affect our fishing industry here seriously.

I took a couple of scientists from the Corps of Engineers out in September, and made a couple of -- I think we made four test tows in the area of the dump site, and I think that is on record as to what we caught there. It was quite a large selection of butter fish, scup, squid, flounder, skates. It was -- actually, it was more than I expected to see there for that time of year. So that's all I would have to say.

MODERATOR ROSENBERG: Thank you, sir.

That is all the individuals that have signed up. At this point, I would like to open the microphones, if you will, for anybody who did not sign up, but would care to give testimony at this meeting.

It's open. It's your mike.

Ladies and gentlemen, the individuals

65

from the Corps will be here after we close this hearing down.

I would like to reintroduce Colonel Rovero to close the formal portion.

COLONEL ROVERO: Last chance, anybody want to say anything?

Okay. We have heard a great many thoughtful statements tonight. Careful analysis and further analysis will be required before any of these final decision can be made. Questions that were posed during the hearing will be answered and/or addressed in our processes that lead to the publishing of the record of decision hopefully in January.

I want to emphasize that you may not get an individual response back. It may be actually answered within the process, within the final documents.

We, at the Corps of Engineers, the New England District, extend our appreciation to all who took the time to involve themselves in this public review process.

Again, thank you for coming, and good night. Again, our folks will still be around for a

66

little while if you need to talk further.

Thank you.

(Whereupon, at 8:30 p.m., the public hearing was adjourned.)

67

## STATEMENTS

ALVIN STETTBACHER: Okay. State my name, Alvin Stettbacher. Spell your name, S-T-E-T-T-B-A-C-H-E-R, Alvin, A-L-V-I-N.

And I live at 220 Biscuit City Road,  
Kenyon, Rhode Island.

Okay. I own a fishing vessel,  
Chris-Anne, 60 foot dragger. I've been in the  
fishing business, many boats, probably 30, 35 years  
now, and this area where they plan on the channel  
there -- we call it the channel -- I have fished  
there probably 25 years now off and on. It's only  
seasonal for us in that area, but I do fish north of  
it and south of it, probably 70 percent of the year.  
South side, it would probably be five miles; north  
side, a mile of it.

And from what I understand, they are  
going to contain this material, the dredge material,  
which is impossible, as I have been a diver for many  
years, used to do salvage work, and I know what  
happens when you dredge, and whoever come up with  
the statement that says they can contain this within  
a certain area doesn't know what they're talking

68

about, doesn't have the vaguest idea.

In that particular area, the current  
will run between one, one and a half knots, a little

better. In layman's term, that will be close to two miles per hour, and just an idea of what the current is there and how much it will drift as this stuff settles down; and some of it stays in the water, you know, and does not.

I'd like to bring up a point, 30, 35 years ago when they used to dump the Newport dump area, by the bells up there -- there's a dumping area. It used to be known. I think it was in the late '60s, early '70s, and I've talked to some old-timers, and they were telling me back then -- that's say 5 miles from Newport Beaches -- there was stuff forced up on the beaches from them spoils. I just bring that up, giving an idea of what the current we do have in that area. This is farther north, probably 10 miles, that dump ground, and that's no longer in use. It's a good thing.

And that's about it. I just, as I say, I'm totally against it because I know it will cause a lot of problems, not only with the lobsters and

fishing.



THOMAS GEARY: My name is Thomas R.  
Geary, and you spell that Tom Geary, T-O-M,  
G-E-A-R-Y, and my address is 106 Woodland Trail, and  
that's in Wakefield.

I'm a commercial lobsterman out of Point  
Judith, and I own the lobster boat the Angie O,  
A-N-G-I-E capital O, for 16 years, owner/operator,  
and the choice of 69B -- or A or B, for that matter,  
I think, are very poor choices.

I'm a day boat. It means my range is  
limited, the distance I can travel between sunrise  
and sunset, and that is somewhat of a core area, and  
with the oil spills and V-notch restoration, and all  
of these different concerns lately, any further  
disruptions in our business is, you know, extremely  
hurtful to us.

That area, they say, is not so much a  
productive area, but there are no areas that are  
productive all of the time, every year. Some areas  
produce certain years. Some years they don't  
produce anything, and that area happens to be a very  
productive area at certain times of the year,  
certain years.

And I kind of equate this to being a farmer out there, and some out-of-towners want to come and dump mud all over my farm, and I don't feel that I will be compensated for my loss of income for that, and I don't feel that they have the right to destroy the habitat that we pretty much nurture along in the trap fishery.

We don't -- you know, we don't bulldoze the bottom. We're not habitat destroyers. We pretty much feed and raise our lobsters until they're catchable size.

So, I'm dead-set opposed to this area site, and I feel as if they went further with their material, past the range of a day fishing boat, your typical day boat that goes in and comes out -- that goes out and comes in in the course of a day. The guys that go for multiple days on end, it may not affect them, so. You know, it's a big ocean. There's got to be a spot out there past that range, and that range is only a 20-mile range, 30-mile range, you know.

And I just want to tear my

Goddamn -- stick it in their ear. Yeah, okay. Tell them.

71

It's just -- it's very frustrating all this kind of stuff, but we have -- the oil spill set us back. We had the World Prodigy spill 10 years ago set us back. Then we had the North Cave spill six years, five years ago set us back, and now we've got this, and it's like a never-ending sequence of things to put a simple, hard-working fisherman out of business, you know, and I just don't get it, and I know it's big business, and it's got to be done, but I don't feel like I should be held to task for what they want to do. You know, I don't feel like I should be held responsible to bear the consequences for big business with, you know, forced to travel further in a small boat, out of my typical range of operation.

Okay.

ROBERT FOX: My name is Robert Fox, F-O-X, 76 Sweet Fern Lane, Peacedale, Rhode Island 02883.

I'm the president of the Rhode Island

Commercial Rod and Reel Anglers' Association with over 100 members, and I'm here tonight to -- not to say anything against the dredging project; I feel it's important, but the site of 69B, during the

72

periods when you're going to dredge, with the migratory bloom I guess you would call it, the silt bloom, that's going to come across the South Coast waters I think will greatly interfere with the fish moving in.

My group mainly fishes during the summer period on summer flounder and scup, so between May and October, and I think it's going to greatly affect our economic -- our income or our catch, being that the fish will not migrate through.

I believe back in the '60s, there was another dredging project that had dumped out in a similar area off the east side of Block Island, and from talking to the old-timers, this was an effect that that summer there was greatly reduced catches from the dump site, so.

And I thank you.

DEAN PESANTE: My name is Dean Pesante.

That's spelled D-E-A-N, P-E-S-A-N-T-E. I live at 817 Tuckertown Road. That's Wakefield, Rhode Island.

And there's just a couple of things I wish I could say that I didn't already say, and one being that I make 100 percent of my livelihood comes

73

from in this proposed dump site and around the dump site as well as many other people that I know, 50 vessels that we listed and their crews as well.

Um, I didn't say everything (checking paper).

I'm concerned about if this does get forced upon us what -- how we will be compensated for our losses, both in the short term and the long term. I do understand the need for this project, but I don't believe it should be done at the expense of others.

LYNN FIORENTINO: My name is Lynn Fiorentino, F, as in Frank, I-O-R-E-N-Z-A-N-O, 362 Pond Street, Wakefield, Rhode Island.

I am here on behalf of the Rhode Island Marine Trade Association. I also own a marina in

Wakefield, Rhode Island, and I would just like to go on record saying I support the dredge project.

I think it's a shame that Rhode Island is the only coastal state that does not have a regular dredge disposal site.

CHARLES WOLF: My name's Charles Wolf, C-H-A-R-L-E-S, W-O-L-F. I live at 16 Petta Lake Road, Saunderstown, Rhode Island.

74

And my statement would be I'm concerned about the plume, the silt, because I do know I've only been commercial fishing for 5 years, but I'm only 23 years old, and I want to be able to continue to do it into retirement.

You know, this plume -- I know that when there's sediment in the water that it shuts down everything. I mean aside from me fishing for 5 years commercially, I've done it for over 12 years, rod and reel bass fishing, and all kinds of salt water fishing, and I know when there's sediment in the water that you don't catch any fish, and the fish will swim away from the water.

The sand bank, Site 69b, where they want

to put it, that's almost like a fish highway. I know this for sure, because the boat that I work on, the fishing vessel Jeanie, we set gill nets just north of that, and I know that the water -- the fish filter in through that channel into Narragansett Bay; and with the sediment there and chemicals, you don't know if that's going to divert them away, and if so, if it does -- you know, they say this is going to go on for two years -- who's going to compensate us for our losses? And how will we be

75

compensated for our losses?

I'm definitely opposed to it. That's it.

THOMAS DITTMAR: My name is Captain Thomas Dittmar, and that's spelled T-H-O-M-A-S, W., D-I-T-T-M-A-R. The address is 51 Carver Lane, Narragansett, Rhode Island.

And my concern is not so much for the dredging policy; it's the dumping policy.

Site 69b seems to be an avenue for shellfish as well as finfish into the Rhode Island Sound, and any sediment that would be above the

bottom would be detrimental as far as migration of lobsters and finfish. Any on shore or -- on-shore place to put the spills or spoils would be, in my opinion, a much better situation for the commercial fishermen.

I've been a commercial fisherman and lobsterman out of Point Judith for 27 years.

Thank you.

CARL GRANQUIST: My name is Carl Granquist, C-A-R-L, G-R-A-N-Q-U-I-S-T, 37 Sunset Avenue, Wakefield, Rhode Island.

I am the president of Restless

76

Fisheries, Incorporated, out of Point Judith, Rhode Island, and I am opposed to the dredge dump site at Site 69b.

I don't feel that the economic -- the Economic Impact Studies by the Army Corps were correct, and I think that the sediment suspension in the water would be detrimental to my business.

And that is it.

Thank you.

MICHAEL MARCHETTI: My name is Michael



Marchetti, M-A-R-C-H-E-T-T-I. I'm from Wakefield,  
Rhode Island.

In a letter, I'd like to address my  
comments to the Army Corps of Engineers or  
Mr. Ed O'Donnell, or to whom it may concern.

I am Michael Marchetti. I'm totally  
against any form of ocean dumping, be it dredge  
spoils, bridges, et cetera, and I would refer to the  
Jamestown Bridge.

I fish in these areas, 69B, 69A, 18, and  
16. I feel that my business will be seriously  
impacted by this action.

I'm a Rhode Island lobsterman with  
15 years of fishing in these areas. I've captained

77

boats for 15 years in these areas.

I'm president of Fishing Vessel Captain  
Robert Fisheries, Incorporated, with three vessels,  
and I predominantly fish around these areas.

I also fish two Rhode Island floating  
barrel fish traps, and in 1969 and 1970, this type  
of action stopped their fish runs via the curtain of  
silt. The fish did not run as they were supposed

to. This is documented information.

Site 69b has been used by large off-shore clam boats, Beth and Lisa, the Marietta, and the While Away in the winter months when the lobster gear goes home.

69B has also been heavily fished by gill netters in recent years. They fish for dogfish primarily as well as other species.

Site 69b is about a mile from U-boat U-853, the German sub that was sunk and the Blackpoint in World War II, and I believe it's a national historical landmark.

This is used heavily by recreational divers and dive charters. This entire area will be buried in silt as it settles.

There are strong tides in this area

78

estimated of one to two knots. Have you done any current analysis?

If the plume is suspended for four hours after a dump and six dumps a day are made for 18 months, that pretty much means that the entire area will be clouded up 24 hours a day. Fish and

lobsters don't like this type of environment;  
therefore, this would be an 18- to 24-month plus  
disruption to lobsters, fish trappers, draggers, and  
gill netters for many miles around. Let me tell  
Fleet Bank that my payments will come when you are  
done in two years.

This site is a main artery for fish  
migration, like I-95, connecting Rhode Island Sound,  
Block Island Sound, Long Island Sound, Vineyard  
Sound, Narragansett Bay, and Buzzards Bay. Step  
back and take a broad view of a chart of the entire  
area.

Also, the health of Narragansett Bay  
depends on the health of the ocean and water  
supplying it, and this site is not far enough off  
shore to have no effect. Go another 30 or 40 miles.

This site is the center of the North  
Cape V-notch Restoration Project, not mentioned in

the Economic Impact Statement, that was started to  
restock the lobster resource harmed by the oil  
spill. This restoration is vital to the health of  
the Rhode Island lobster industry.

Many, many of these lobsters settle in the rocky areas bounding the site as well as the hundreds of thousands that migrate through the area here in early to mid summer. We as lobstermen make our living by following these migration patterns.

The thought that the effects will be short term, two years plus are not valid. This is a long time for us. If I cannot fish these areas for two years or more until they become productive, this will be a long-term problem for me and about 25 other lobstermen who fish the area frequently or periodically.

I would like to suggest that you revisit your numbers and do some real research on this. I would also like to suggest that you look at the project as a whole and go back to just maintenance strategy, not doubling the width. Then you may be able to find more suitable on-land disposal sites like the South Point in Providence or even at Quonsett on the brown fields there, but this

proposal as it is is totally unacceptable.

Had you consulted with industry first,

you might have realized early on that Rhode Island Sound is not an area to be regarded as a dump site as it is incredibly valuable to the economy and ecology of Rhode Island and Narragansett Bay.

Okay. And another comment to somebody else's comment. We did not almost run out of oil last winter -- or was it the winter before -- as there were several tankers and barges anchored at sea off of Newport that were waiting for the prices -- well, they were waiting for prices.

Okay. Thank you.

## SUBMITTED WRITTEN STATEMENTS

Economic Multiplier Prompts Lingering Questions.

Economic multipliers in general are used to express additional economic activity that is generated by another economic activity. In the section of the Environmental Impact Statement entitled Economic Fishery Impacts, Dr. Thomas A. Grigalunas states that the economic multiplier for fisheries in Rhode Island is 1.18. This equates to

every one dollar worth of fish landed generates  
eighteen cents in additional economic activity.

Over twenty-five years ago, Dr.  
Grigalunas was part of a study entitled "The  
Economic Impact of Commercial Fishing on the State  
of Rhode Island." At that time the economic  
multiplier for the Rhode Island fishery was pegged  
at 4.24. Other States use a multiplier of over  
eight. An obvious question. What happened? This  
question becomes extremely poignant when one  
considers that the United States Department of  
Agriculture places a multiplier of 1.39 on all  
activity as it relates to exports. Eighty-five

82

percent (85%) of Rhode Island landings are destined  
for the export market. Possibly there may be a need  
to actually do an analysis on the Rhode Island  
industry.

Carl Granquist, Restless Fisheries,  
Point Judith, Rhode Island.

First do no harm!

The proposed dredge disposal Site 69b is

located at the northeast corner of Sand Bank Channel. Sand Bank Channel is a natural channel with a sandy bottom. It is the main thoroughfare for all finfish during both their northern and southern migration past Rhode Island. Knowing that, it seems odd that at a recent meeting Mr. Michael Ludvig, from the National Marine Fisheries Service Habitat Laboratory in Connecticut, stated that no dumpsite will harm the fisheries or the environment. If any harm were perceived, the dredge project would be shut down.

This project has used computer modeling extensively, more so than any other dredge project in U.S. history. Unfortunately, computer modeling is only as good as the information that is included

83

in its design. Those of us in the fishing industry are concerned that questionable fisheries data was used in the model, because it does not even suggest that this natural channel in the ocean bottom has any importance to the well-being of Rhode Island fisheries. Fishermen know that it does.

If questionable data was used in the

production of this part of the model, a natural assumption would be to suspect that questionable data was also used in other modeling efforts. For example, would the dump plume add significant turbidity to the water column and cause migrating fish such as scup or summer flounder from entering Narragansett Bay.

If harm is done to the fishing industry and shore side businesses, who would be responsible for making us whole again, after the damage has been done?

Elizabeth B. Rowell, 100 Arbutus Trail,  
Charlestown, Rhode Island 02813-3400.

Future of Finfish Resource Based on  
Ancient History.

When one considers the following type of

84

statement found on Page 6-136 of the Environmental  
Impact Statement (EIS):

"Without the project, fisheries  
resources are not expected to change substantially  
from existing conditions. Stock of most commercial



valuable fish are presently at low levels and the presence or absence of the project is not likely to affect this status. Winter flounder stocks in Southern New England/Mid-Atlantic are currently near record low levels (ASMFC 1998). Some recovery of these stocks is expected to occur in the future with or without this project."

The question as to why more recent data was not utilized arises. The Atlantic States Marine Fisheries Commission evaluates stock status nearly every year, wouldn't it be more appropriate to utilize information that is available from 2001 or 2000 or even 1999. As early as 1999 winter flounder was showing signs of recovery, by this year (2001) nearly deemed recovered. In fact winter flounder in Block Island Sound are back to historical average numbers.

A press release from the New England Fishery Management Council dated June 2001 states,

"management programs in New England are experiencing measurable and substantial success in building sustainable fisheries. Year 2000 calculations show

the estimated biomass levels for 11 important ground fish stocks have increased almost two and a half times since 1994. Even stocks that need further rebuilding such as George's Bank cod, American plaice, white hake, and Southern New England yellowtail flounder are stable and showing signs of improvement." Further, a press release from the Atlantic States Marine Fisheries Commission dated August 2001 trumpets that the 2002 commercial scup quota is being increased by 80 percent; the 2002 fluke quota by 35 percent; black sea bass will be increased by 10 percent. These are not stock at low levels.

During the last ten years, fin fishermen in Southern New England have struggled due to constraints of vastly reduced "Days at Sea" in the ground fishery to low quotas in the fluke and scup fisheries all under the guise of protecting our resources. Now we are in a position to begin to reap the rewards of our collective efforts and the drafters of this EIS dated August 2001 would have us

believe that there would be little consequence to

whatever happens at the proposed Site 69b.

Kenneth A. Ketcham, f/v Linda Marie, f/v  
Lucky Linda, President Rhode Island Commercial  
Fishermen's Association.

Rhode Island Commercial Fisherman's  
Association, 11/28/01, Michael L. Marchetti.

Skinny Fisheries Data.

It appears that the fisheries data  
utilized in the Environmental Impact Statement  
concerning the utilization of Site 69b as a dredge  
disposal site may be skimpy at best.

All the lobster data has been garnered  
by setting three lobster pots for three days, twice  
a month for the months of August, September, and  
November. In other words, data taken from a total  
of 18 days.

The finfish data was composed of 16 tows  
made over a 30-year period by the Research Vessels  
Delaware and the Albatross II. These data generally  
are used to indicate relative availability over a  
number of years, not actual availability at any  
given time. Of course, more to the point, none of

these tows were done at 69B we ponder their relevance.

All in all the fishing industry are asked to take a great leap of faith off a platform failing under its own weight. If indeed this project is based on data built from a house of cards who loses besides the industry, or does the Army Corp of Engineers reimburse companies for the losses, no matter how long they last.

For public record, 11/27/01. Michael L. Marchetti, President, f/v Captain Robert Fisheries Inc., 28 Coswell Street, Narragansett, Rhode Island 02882, 401-782-5821. F/v Captain Robert, f/v Mister G, f/v Navigator.

\* From NMFS Data

Area	Notched	Notched with Eggs
E	772	296
F	505	134
G	1369	196
H	106	3
K	681	257

L	1391	696
M	2025	645
		88
Q	0	0 No Data
R	6046	1465
S	4174	270
Totals	17069	3962

- \* Data acquired from about 25 boats - some with on-board observers
- \* As of last Tuesday
- \* More harvested - not shown
- \* 300,000 dumped last year - not shown
- \* Tag studies show east-west movement through B.I. Sound and Rhode Island Sound (43900 Line)
- \* Tag studies also show a South-Southeast Migration from the Beach and Bay areas through, around, and past Site 69b as well as the other sites.
- \* Data acquired from about 25 boats (1/4 of Point Judith Fleet) some with on-board observers, starting mid October 2001

- \* Tag studies done by R.I. Lobstermen's Association, URI and North Cape Restoration Project. All up-to-date information and readily available.

89

- \* Data does not reflect unnotched eggers nor shorts in the area, male and female of all-year classes. Possibly millions of lobsters will be affected or warmed, thus affecting industry.

90

#### C E R T I F I C A T E

We, Marianne Kusa-Ryll, Registered Merit Reporter, and Julie Thomson Riley, Registered Merit Reporter, do hereby certify that the foregoing transcript is a true and accurate transcription of our stenographic notes taken on November 28, 2001, and entry of statements included in the record.

Marianne Kusa-Ryll  
Registered Merit Reporter  
Certified Shorthand Reporter No. 116393

Julie Thomson Riley  
Registered Merit Reporter  
Certified Shorthand Reporter No. 1444S95